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PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

7594.10

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,967,264, granted October 19, 1999, and for which a

reissue patent is sought on the invention entitled METHOD OF MONITORING ITEM SHUFFLING IN

A POST-SCAN AREA OF A SELF-SERVICE CHECKOUT TERMINAL

the specification of which

☐ is attached hereto.

☒ was filed on October 19, 2001 as reissue application number 10 / 038,377

and was amended on _____

(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:


See attached statement of error.


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JUL 03 2002
GROUP 3000

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) 7594.10	
<p>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.</p>			
Name(s)		Registration Number	
Douglas S. Foote		31013	
Paul W. Martin		34870	
Michael Chan		33663	
James M. Stover		32759	
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		26884 <i>Type Customer Number here</i>	
		 Number Bar	
<input type="checkbox"/> Firm or Individual Name		26884	
Address			
Address			
City		State	Zip
Country			
Telephone		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>			
Full name of sole or first inventor (given name, family name) Dusty L. Lutz			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Full name of second joint inventor (given name, family name) Christopher A. Malchak			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Full name of third joint inventor (given name, family name) Timothy E. Mason			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 3)		Docket Number (Optional) 7594.10
Full name of fourth joint inventor (given name, family name) Ali M. Vassigh		
Inventor's signature 		Date 4/7/02
Residence 4733 South Cedar Trail Stevensville, MI 49127		Citizenship US
Mailing Address Same as above		



COPY OF PAPERS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 7594.10

In re Application for Reissue
Of U.S. Patent No. 5,967,264

Dusty L. Lutz et al.

Art Unit: Unassigned

Serial No.: Unassigned

Examiner: Unassigned

Filed: October 19, 2001

For: **METHOD OF MONITORING ITEM SHUFFLING IN A
POST-SCAN AREA OF A SELF-SERVICE CHECKOUT TERMINAL**

Asst. Commissioner for Patents

Washington, D. C. 20231

**DECLARATION WITH
STATEMENT OF ERROR IN
SUPPORT OF REISSUE APPLICATION**

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GROUP 3600

Sir:

Applicants further declare the following:

The error upon which Applicants are relying to support
the Reissue Application is that of claiming less than they

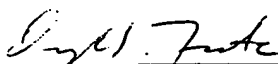
had the right to claim in the above identified Patent 5,967,264 ("the '264 patent").

Applicants failed to appreciate the full scope of the invention. For example, Applicants now believe that the use of the term "shuffling" in Independent Claims 1 and 12 is unnecessarily limiting so as to render the original '264 patent partly inoperative. Applicants now believe that they are entitled to additional claims which do not include the term "shuffling". Applicants also believe that they are entitled to additional claims of greater scope.

All errors which are being corrected in the present Reissue Application up to the time of filing of this Declaration arose without any deceptive intention on the part of the Applicants.

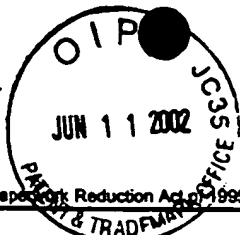
This Reissue Application is being filed within two years of issuance of the '264 patent as required by 35 U.S.C. 251.

NCR Corporation



Douglas S. Foote
Law Vice President

OCT 19 2001
Dayton, Ohio



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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

7594.10

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☐ Firm or
Individual Name

26884

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Address

City

State

Zip

Country

Telephone

Fax

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Full name of sole or first inventor (given name, family name)

Dusty L. Lutz

Inventor's signature

Date

4/23/02

Residence 3490 Mill Valley Drive
Dacula, GA 30019

Citizenship

US

Mailing Address Same as above

Full name of second joint inventor (given name, family name)

Christopher A. Malchuk

Inventor's signature

Date

5/7/02

Residence 120 Cobblestone Way
Alpharetta, GA 30004

Citizenship

US

Mailing Address Same as above

Full name of third joint inventor (given name, family name)

Timothy E. Mason

Inventor's signature

Date

5/7/02

Residence 1965 Deer Creek Trail
Buford, GA 30519

Citizenship

US

Mailing Address Same as above

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 3)		Docket Number (Optional) 7594.10
Full name of fourth joint inventor (given name, family name) Ali M. Vassigh		
Inventor's signature		Date
Residence		Citizenship
Mailing Address		



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Attorney Docket No. 7594.10

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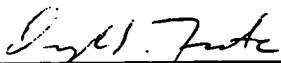
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